

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JUNE 24, 2003**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 24, 2003, commencing at 7:00 a.m.

A. ROLL CALL

Present: Council Members – Beckman, Howard, Land, and Mayor Hitchcock

Absent: Council Members – Hansen

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. CITY COUNCIL CALENDAR UPDATE

City Clerk Blackston reviewed the weekly calendar (filed).

C. TOPIC(S)

C-1 "Update on Lodi Skate Park"

Parks and Recreation Director Baltz recalled that the City entered into a contract agreement with Spohn Ranch to be the concessionaire for the skate park operation at Kofu Park. It was driven by liability issue concerns and the desire to have a monitored park. He reported that according to the results of a recent survey conducted by staff (filed) there now seems to be a trend of free, unmonitored skate park facilities. A profit and loss statement (filed) from Spohn Ranch for the period of June 2002 through May 2003 indicates that it is having revenue difficulties due to low attendance at the park. For this reason Spohn Ranch has requested that the City subsidize its operation, similar to the agreement it has in Lake Elsinore.

City Manager Flynn commented that the skate park project was community driven. A skate park task force was formed and made a recommendation to Council regarding the project and location.

Aaron Spohn, President/Chief Executive Officer of Spohn Ranch, stated that the climate had changed since the Lodi skate park opened and now free parks are operating in the surrounding area. He acknowledged that Spohn Ranch was struggling financially and it would be difficult to continue without assistance from the City. He reported that state legislation stipulates that skate boarding in parks is an at-risk activity for ages 14 years and above; it does not cover in-line skating. In addition, the law states that if cities continuously supervise their own facilities, the liability of the actions can transfer to the city. It also requires the use of safety gear, recording injuries, and reporting to the state. He explained that Spohn Ranch's operation in Lake Elsinore was experiencing similar difficulties and it has since received subsidy from the city, began operating it as a free park, and decreased some of the structure related to having specific sessions. Attendance at the park has increased significantly since these changes took place. The goal of Spohn Ranch is to build on the momentum and eventually get the retail concession to fund the operation of the park.

Eric Lee, Manager of the Operations Division for Action Park Alliance, reported that the skate park has had 5,700 visits from a base of 3,600 registered users. Everyone that uses the park has to have a waiver signed by their parents if they are under 18 years. The Lodi skate park now has 50 members that have paid \$40 to receive a \$2 discount on the entrance fee of \$5 per session. The insurance requires one supervisor for every 35 participants and once the number reaches 36, two supervisors must be present, which increases costs significantly. He reported that 70% to 80% of the operating costs are for

staffing. At the end of each year Spohn Ranch is audited by the insurance company and is charged a flat fee for each member and an additional fee for non-member participants. He stated that if the City agreed to subsidize the cost of staffing the skate park, 80% of the net profit from the revenue they generated would be returned to the City to repay the subsidy.

Council Member Land asked how much of the \$60,000 income shown on the profit and loss statement is from fees and concessions, to which Mr. Lee replied that 60% is from concessions and 40% is from fees.

In answer to additional questions posed by Council Member Land, Mr. Lee reported that the hours of operation are 3:00 to 9:00 p.m. daily and 12:00 to 10:00 p.m. on weekends. He stated that attendance is eight times as busy when the park has free sessions and concession sales increase from an average of \$13 a day to over \$100 a day. He noted that Lodi is one of the rare skate parks that allow BMX riders.

Mr. Spohn explained that restrictions that have been placed on the facility are contributing to the current difficulties facing the Lodi skate park. As an example, he reported that at 10:00 p.m. last night he drove past the park and the lights were on in the baseball field and tennis courts, yet they were off over the skate park. Programming has also been restricted.

At the request of Mayor Pro Tempore Howard, Mr. Lee stated that he would like to pursue sponsorships wherein local businesses would cover the membership and entrance fees for particular groups of youth, similar to sponsors for little league baseball. He also suggested that if each major club in Lodi made a donation it could cover the staffing costs.

Mayor Pro Tempore Howard emphasized the importance of the Council and community allowing the skate park opportunities to create the revenues it needs for the successful operation of the facility. Special events can be done in a way that is respectful to the surrounding neighborhood, as well as being fun for those that use the park. As an example she cited the Bethel Open Bible Church event held last Halloween.

Mr. Lee replied that the Bethel event was the single most successful event held at the Lodi skate park and produced over \$1,000 in revenue.

Mayor Pro Tempore Howard commented that she attended the San Joaquin County Fair last week, at which there was a skate boarding event. They used a PA system and played music, yet it did not interfere or detract from nearby events. She noted that a group consisting of all age groups was watching the skate boarders, and as a spectator, she appreciated being able to hear the announcements that described the tricks and accomplishments of the riders.

In answer to questions posed by Council Members, Mr. Lee noted that an obstacle to not having more events at the Lodi skate park is because they are not allowed to have amplified sound. He attributed difficulty in getting sponsorships to the original controversy regarding the location and subsequent low attendance. Letters were sent to 36 local businesses and only three responded indicating that they were not interested. He mentioned the following potential drawbacks to having an unsupervised, free skate park: 1) increased police patrol to the area; 2) graffiti, 3) alcohol and tobacco use, 4) fights, and 5) elimination of BMX use.

Mr. Spohn clarified that this request is for the City to subsidize personnel costs; however, Spohn Ranch would continue to staff the park. He emphasized the urgency of the request.

In response to Council Member Beckman's suggestion to allow amplified sound and banners for a six-week period and use City newsletters to advertise that the skate park is free for a certain period of time, Mr. Spohn explained that when momentum dies down it is difficult to regenerate. Mr. Lee noted that advertising and marketing for special events

requires a large reinvestment of money. Spohn Ranch has a deficit of approximately \$68,000 and depending upon the percentage that is owed back the City, this amount may increase by an additional \$3,200. Mr. Lee stated that the park could not be free unless the staffing were subsidized because the insurance cost would rise as the attendance increased. Without fees a cash flow problem would result when buying products for the concession.

Mayor Pro Tempore Howard spoke about the need for consistency, without which, confusion would result in the community and surrounding neighborhood regarding what to expect in terms of cost, rules, etc. She suggested decreasing the entrance fee to one or two dollars and increasing the annual membership registration fee, but allowing members to enter the park for free.

In response to the suggestion to allow banners, Mayor Hitchcock did not believe it would be compatible with the neighborhood to have the skate park look like a commercial establishment.

PUBLIC COMMENTS:

- John Connelly stated that he had submitted written requests to address the Council on this issue and never received an answer. He believed there would be gangs and loud music if the skate park were unsupervised. He stated that his wife has been ill and housebound since 1997 and now has to wear earplugs to muffle the clanking sound emanating from the skate park. He complained that concerned parties have not been allowed to meet with the City Council about this matter, nor have residents of the surrounding area been invited to a community meeting as was initially directed by the Council. In reference to the Bethel Open Bible event that was held at the skate park, Mr. Connelly reported that they had speakers directed toward Ham Lane. He asked them to redirect the speakers; however, they chose not to and replied that they had a permit. Subsequent to this he phoned the Parks and Recreation Department and asked to speak with former Director Baltz, who never returned his call. He urged the Council to consider the neighborhood when making decisions related to the skate park.
- Reuven Epstein stated that he served on the skate board park ad hoc committee for Galt. He expressed his opinion that skate boarders are generally somewhat antisocial and antiestablishment. He implied that because skate boarders are dissimilar to little league baseball players, the hope to get sponsors would likely not come to fruition. He believed that by offering a park with a high entrance fee and limited hours of operation, it sent a message to skate boarders that they cannot trust government. He pointed out that they can skate for free on sidewalks and parking lots, and that it did not make sense to charge for something when there is a free version available. The Galt skate park is open 80 hours a week and will be open 90 hours a week during the summer months. It was his understanding that the liability burden is shifted away from cities if skate parks are open, free, unsupervised, with rules posted, and located for easy visibility from the street by police officers. He recalled that Lodi was sued for injuries sustained by a youth using an indoor skate park, which could have easily been prevented. He pointed out that by merely placing a piece of aluminum over the plywood on the glass door it would have satisfied the fire department as well as ensured the safety of the users of the facility.
- Dennis Cunningham believed that Spohn Ranch had done a good job running the park, but not in marketing it. He noted that the church youth center on Lockeford Street has a small area for skate boarding, is free of charge, and well attended. He suggested that a banner be placed on the outside of the Lodi skate park with the phone number and hours of operation. In addition, he recommended that the fee for BMX riders be increased, and the general entrance fee to the park be either reduced, eliminated, or be in an amount sufficient only for covering the insurance costs. He urged Council to approve (for a one-year trial period) Spohn Ranch's request for a subsidy.

Council Member Land spoke in support of subsidizing the program for one year and believed that it should remain a supervised park, as was promised to the surrounding residents.

Mr. Flynn stated that staff would return to Council with recommendations at either the regularly scheduled meeting of July 16 or August 6. He expressed concern that problems would result without supervision.

Mayor Hitchcock suggested that Parks and Recreation Director Goehring contact cities that have free, unsupervised parks, to determine what, if any, challenges they have faced by doing so.

John Connelly asked if anything could be done to reduce the clanking sound at the park, to which Mr. Spohn indicated that it was possible and he would bring a recommendation regarding the matter to the City.

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:50 a.m.

ATTEST:

Susan J. Blackston
City Clerk